

**BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2021-93-E**

IN RE:)
 Dominion Energy South Carolina,)
 Incorporated's Request for "Like Facility")
 Determinations Pursuant to S.C. Code)
 Ann. § 58-33-110(1) and Waiver of)
 Certain Requirements of Commission)
 Order No. 2007-626 (This Filing Does)
 Not Involve any Change to the Retail)
 Electric or Natural Gas Base Rates))

**PETITION
TO
INTERVENE**

On March 11, 2021, this Commission opened Docket 2021-93-E, relating to Dominion Energy South Carolina, Inc.'s, ("DESC") Request of March 10, 2021, for a "Like Facility" Determination Pursuant to S.C. Code Ann. § 58-33-110(1) and Waiver of Certain Requirements of Commission Order No. 2007-626.

Petitioner herein is the Carolinas Clean Energy Business Association, ("CCEBA" or "Petitioner"). This Petition to Intervene is filed pursuant to R. 103-825, of this Commission's Rules and Regulations and other applicable Rules and Regulations of this Commission, and Petitioner seeks permission to intervene and be made a party of record in the above-referenced Docket, with full rights of participation.

1. CCEBA is a Mutual Benefit Corporation, incorporated in the State of North Carolina and domesticated to conduct business in the State of South Carolina by the South Carolina Secretary of State's office.

2. CCEBA is organized for the purpose of promoting and advocating public policy positions supportive of solar power generation in North and South Carolina. CCEBA is a 501(c)(6) organization representing all types of businesses in the clean energy sector, including developers, manufacturing, engineering, construction, professional and financial services, and non-energy businesses wishing to purchase clean energy. With over 50 members, including most of the utility-scale solar developers in North and South Carolina, CCEBA monitors and participates in energy policymaking in both Carolinas. CCEBA has appeared as an intervenor in multiple dockets in North Carolina under its prior name: North Carolina Clean Energy Business Alliance. In South Carolina, CCEBA has assumed the role previously filled by the South Carolina Solar Business Alliance ("SCSBA").

3. Specifically, CCEBA is a successor in interest for the SCSBA. CCEBA has been substituted as a Party in Interest in over two dozen Commission Dockets, by Commission Order No. 2021-167, dated March 10, 2021 and this Commission has subsequently approved CCEBA's intervention in Dockets, 2021-88-E, 2021-89-E and 2021-90-E.

4. CCEBA's position is that CCEBA has substantial and specific economic interests in renewable energy in South Carolina and this Commission's actions thereon.

5. Factually, CCEBA will be directly and substantially affected by the outcome of this proceeding and CCEBA's business interests will be directly and financially impacted by this Commission's resolution of the subject matter of this Docket.

6. The specific grounds for this Petition are that DESC's request is violative of the terms of the Settlement Agreement between DESC and the SCSBA¹, as hereinafter described. The Settlement Agreement was filed with this Commission on November 30, 2018, in Docket Nos. 2017-207-E, 2017-305-E and 2017-370-E, Order No. 2018-804, dated December 21, 2018, (hereinafter as the "Settlement Agreement"). The SCSBA Settlement was part of this Commission's Overview of the Matter and Summary of the Basis for the Commission's Ruling, on page "8" of Order No. 2018-804. Specifically, the Settlement Agreement required, "SCE&G shall not procure or apply to certify a new generating resource with a nameplate capacity of more than 75 megawatts without first conducting a competitive, all-source solicitation ("RFP")." Section "2" "A" on page "3" of Settlement Agreement. Also, this Commission's Order No. 2007-626, dated September 13, 2007 in Docket No. 2005-191-E, advised South Carolina utilities, *inter alia*, "...it is in the best interest of the electric ratepayers of South Carolina and the regulated community of electric utilities to only require mandatory RFPs for new peaking generation." page "1" of Order 2007-626. However, this Commission, in Order No. 2007-626, which requires an RFP for generation, does not specify or limit that generation, to a specific technology.

7. Petitioner's interests cannot be adequately addressed by any other party. Petitioner's Intervention will aid this Commission, by assisting in the development of a full and fair record to address the important decision to be made in this Docket.

¹ The Settlement Agreement between DESC and SCSBA was assigned by SCSBA to CCEBA, by written Assignment, dated April 1, 2021.

8. Petitioner should be allowed to intervene in this Docket, with full rights of cross-examination, discovery, and participation in any Hearing to be scheduled in this Docket.

9. The granting of CCEBA's Petition to Intervene is (i) in the public interest and (ii) consistent with the policies of this Commission in encouraging maximum public participation in issues before it and intervention should be allowed so that a full and complete record addressing its views and concerns can be developed.

10. This Petition to Intervene is timely filed with this Commission.

11. CCEBA is represented by counsel in this proceeding:

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WHEREFORE, Petitioner prays for the following relief:

(a) That this Petition to Intervene be accepted and that Petitioner be made a party of record;

(b) That Petitioner be allowed to participate fully in this proceeding and take such positions as it deems advisable; and

(c) For such other and further relief as this Commission may deem just and proper.

Respectfully Submitted,

/s/Richard L. Whitt

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*As Counsel for Petitioner, Carolinas Clean Energy
Business Association.*

May 13, 2021